

1 HONORABLE BARBARA J. ROTHSTEIN  
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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON

9 DAVID LIDYARD and MAKENNA LIDYARD,

10 Plaintiffs,

11 v.

12 USAA CASUALTY INSURANCE COMPANY,

13 Defendant.

14 Case No. 2:21-cv-00396-BJR

15 STIPULATED JOINT MOTION AND  
16 AGREED ORDER TO EXTEND  
17 DISCOVERY CUTOFF TO ALLOW  
18 THE DEPOSITION OF  
19 DEFENDANT'S 30(b)(6)  
20 CORPORATE REPRESENTATIVE

21 **STIPULATION**

22 COME NOW Plaintiffs David and Makenna Lidyard and Defendant USAA Casualty  
23 Insurance Company (“USAA CIC”), by and through their counsel of record, and hereby make  
24 this stipulated joint motion to extend the current discovery deadline of February 11, 2022 by  
25 five days, to February 16, 2022, to allow for the deposition of USAA CIC’s Rule 30(b)(6)  
corporate representative. This short extension will not have any impact on any other pre-trial  
deadlines or the August 29, 2022 trial date.

26 **FACTS**

27 On December 14, 2021 the Court granted the parties’ Amended Stipulated and Agreed  
28 Order to Extend Discovery Cutoff and Dispositive Motion Deadline. Dkt. #17. Under the

1 Court's order, the current discovery cutoff is February 11, 2022. *Id.* Trial is scheduled for  
2 August 29, 2022. *Id.* The parties are scheduled to complete all outstanding discovery in this  
3 matter by the current February 11 deadline, with the exception of USAA CIC's Rule 30(b)(6)  
4 corporate representative, Jan Gilpin. Ms. Gilpin is available for her deposition on February 16,  
5 2022. Counsel for both parties have confirmed that they are also available for Ms. Gilpin's  
6 deposition on that date. However, February 16 is five days after the current discovery cutoff.  
7 The parties therefore respectfully request a five-day extension of the discovery deadline solely  
8 to allow for the deposition of USAA CIC's Rule 30(b)(6) corporate representative.  
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10 **ARGUMENT AND AUTHORITY**

11 The Court may modify deadlines contained in the scheduling order "for good cause."  
12 Here, good cause exists to extend the discovery deadline by five days to allow for the deposition  
13 of USAA CIC's corporate representative. As noted above, the parties have diligently been  
14 conducting discovery in this matter and, with the exception of Ms. Gilpin's deposition, are  
15 scheduled to have all outstanding discovery completed by the current deadline of February 11,  
16 2022. Over the past several weeks, the parties have been working to schedule the Rule 30(b)(6)  
17 deposition of USAA CIC. Although they had hoped that the deposition could occur prior to or  
18 on February 11, Ms. Gilpin's schedule has necessitated the need for a short five-day extension  
19 of the discovery cutoff. The parties thereby stipulate and ask for leave to extend the discovery  
20 cutoff to February 16, 2022, solely for the purposes of taking the deposition of USAA CIC's  
21 Rule 30(b)(6) witness. No prejudice is anticipated to either party by this short extension. Nor  
22 will this five-day extension have any impact on any other pre-trial deadlines or the current trial  
23 date.  
24

1 DATED this 1st day of February, 2022.

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21 **ORDER**

22 This matter having come before the Court upon the stipulation of the parties, IT IS  
23 HEREBY ORDERED that, for good cause shown, the discovery cutoff in this matter is  
24 extended from February 11, 2022 to February 16, 2022 solely to allow for the deposition of  
25 USAA CIC's Rule 30(b)(6) corporate representative. This Order shall not affect any other  
pretrial deadlines or the current trial date.

15 IT IS SO ORDERED.

16 DATED this 8th day of February, 2022.

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18 BARBARA J. ROTHSTEIN  
19 UNITED STATES DISTRICT JUDGE

1 Presented by:

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STIPULATED AND AGREED ORDER TO EXTEND  
DISCOVERY CUTOFF TO ALLOW THE DEPOSITION OF  
DEFENDANT'S 30(b)(6) CORPORATE REPRESENTATIVE - 4  
No. 2:21-cv-00396-BJR

**CERTIFICATE OF SERVICE**

2 I hereby certify that on February 8, 2022 I caused the foregoing document to be  
3 electronically filed with the Clerk of the Court using the CM/ECF system, which will send  
4 notification of such filing to all counsel of record.

s/ Christy A. Nelson  
Christy A. Nelson

STIPULATED AND AGREED ORDER TO EXTEND  
DISCOVERY CUTOFF TO ALLOW THE DEPOSITION OF  
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